

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The references cited on attached Form PTO-SB08 are being called to the attention of the Examiner.

- Copies of the cited non-patent and/or foreign references are enclosed herewith.
- Copies of the cited U.S. patents and/or patent applications are enclosed herewith.
- Copies of the cited U.S. patents/patent application publications are not enclosed in accordance with 37 C.F.R. § 1.98(a).

Copies of the cited references are not enclosed, in accordance with 37 C.F.R. § 1.98(d), because the references were cited by or submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____ filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

To the best of applicants' belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

Examiner's attention is drawn to the following co-pending applications:

Serial No. 11/131917 filed 05-17-05
Serial No. 11/131930 filed 05-17-05
Serial No. 11/143252 filed 06-01-05
Serial No. 11/411986 filed 04-25-06
Serial No. 11/411987 filed 04-25-06
Serial No. 11/412071 filed 04-25-06
Serial No. 11/468235 filed 08-29-06
Serial No. 11/551038 filed 10-19-06

Other: _____

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

FEES

<input checked="" type="checkbox"/>	<p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith satisfies one of the following conditions ("X" indicates satisfaction):</p> <ul style="list-style-type: none"><input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or<input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or<input checked="" type="checkbox"/> Before the mailing date of a first Office Action on the merits, or<input type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
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<input type="checkbox"/>	<p>37 CFR 1.97(c): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <ul style="list-style-type: none"> (1) a final action under 37 C.F.R. 1.113 or (2) a notice of allowance under 37 C.F.R. 1.311, or (3) an action that otherwise closes prosecution in the application. <p>This Information Disclosure Statement is accompanied by:</p> <ul style="list-style-type: none"> <input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <input type="checkbox"/> Please charge Deposit Account 19-1970 in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account 19-1970.
<input type="checkbox"/>	<p>37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <ul style="list-style-type: none"> <input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e) <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> <input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Please charge Deposit Account 19-1970 in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.

Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

- The undersigned certifies that:
 - Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).
 - A copy of the communication from the foreign patent office is enclosed.

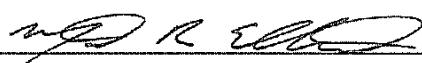
OR

- No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS P.C.

By:



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Date: January 15, 2007

Substitute for form 1449A/PTO

Complete if Known

INFORMATION DISCLOSURE STATEMENT BY APPLICANT				
Sheet	1	of	3	Attorney Docket Number
				5107-15

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee of Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	744,187	11/17/1903	Gibbs	
	2	2,704,813	3/22/1955	Stamm	
	3	3,919,948	11/18/1975	Kademann	
	4	4,284,936	8/18/1981	Bailey et al.	
	5	4,498,016	2/5/1985	Earleson et al.	
	6	4,700,283	10/13/1987	Tsutsui, et al.	
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	8	4,896,090	1/23/1990	Balch, et al.	
	9	5,306,972	4/26/1994	Hokanson et al.	
	10	5,331,261	7/19/1994	Brown et al.	
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	12	5,376,868	12/27/1994	Toyoda et al.	
	13	5,424,948	6/13/1995	Jorday, Jr.	
	14	5,436,540	7/25/1995	Kumar	
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	21	5,898,281	4/27/1999	Bossoney et al.	
	22	6,025,086	2/15/2000	Ching	
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	34	6,532,405	3/11/2003	Kumar et al.	
	35	6,537,694	3/25/2003	Sagiura et al.	

Examiner Signature		Date Considered
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*EXAMINER: Initial if reference is considered, whether or not citation is in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449A/PTO				<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/533,402
Sheet	2	of	3	Filing Date	12-06-05
				First Named Inventor	Donnelly
				Art Unit	3746
				Examiner Name	Not yet assigned
				Attorney Docket Number	5107-15

36	6,564,172	5/13/2003	Till	
37	6,581,464	1/24/2003	Anderson et al.	
38	6,611,116	8/26/2003	Bachman et al.	
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59	11/131930		Watson	
60	11/143252		Donnelly	
61	11/411986		Donnelly	
62	11/411987		Donnelly	
63	11/412071		Donnelly	
64	11/468235		Swan	
65	11/551038		Pike	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁸
		Country Code ³ ; Number ⁴ ; Kind Code ⁵ (if known)	MM-DD-YYYY			
	66	WO 05/084335	9/15/2005	RAILPOWER TECHNOLOGIES CORP.		D

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference is considered, whether or not citation is in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known			
Application Number	10/533,402		
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First Named Inventor	Donnelly		
Art Unit	3746		
Examiner Name	Not yet assigned		
Sheet	3	of	3
			Attorney Docket Number
			5107-15

	67	WO 2005/030550	4/7/2005	RAILPOWER TECHNOLOGIES CORP.		
	68	WO 2005/079504	9/1/2005	RAILPOWER TECHNOLOGIES CORP.		D
	69	WO 2005/086910	9/22/2005	RAILPOWER TECHNOLOGIES CORP.		D
	70	WO 2005/097573	10/20/2005	RAILPOWER TECHNOLOGIES CORP.		D
	71	WO 2005/114811	12/1/2005	RAILPOWER TECHNOLOGIES CORP.		D
	72	WO 2005/114810	12/1/2005	RAILPOWER TECHNOLOGIES CORP.		D
	73	WO 2006/020587	2/23/2006	RAILPOWER TECHNOLOGIES CORP.		D
	74	WO 2006/020667	2/23/2006	RAILPOWER TECHNOLOGIES CORP.		D
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	76	WO 2006/116479	11/2/2006	RAILPOWER TECHNOLOGIES CORP.		D

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

Examiner Initials*	Cite No. ¹		
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